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Attorneys for
Amazon Logistics, Inc.

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:

SCOOBEEZ, et al.¹,

**Debtors and Debtors in
Possession.**

Affects:

- ☒ All Debtors
- ☐ Scoobeez, ONLY
- ☐ Scoobeez Global, Inc., ONLY
- ☐ Scoobur LLC, ONLY

Case No. 2:19-bk-14989-WB
(Jointly Administered with
2:19-bk-14991-WB, and 2:19-bk-14997-WB)

Chapter 11

**DECLARATION OF RICHARD W.
ESTERKIN RE NOTICE OF HEARING
ON AMAZON LOGISTICS, INC.'S
MOTION FOR A PROTECTIVE ORDER
QUASHING DOCUMENT REQUESTS
AND DEPOSITION NOTICES
PROPOUNDED BY HILLAIR CAPITAL
MANAGEMENT, LLC**

Date: November 4, 2019
Time: 2:00 p.m.
Dept.: United States Bankruptcy Court
Edward Roybal Federal Building
255 E Temple St., Ctrm 1375
Los Angeles CA 90012

Judge: The Hon. Julia W. Brand

¹ The Debtors and the last four digits of their respective federal taxpayer identification numbers are as follows: Scoobeez (6339); Scoobeez Global, Inc. (9779); and, Scoobur, LLC (0343). The Debtors' address is 3463 Foothill Boulevard, in Glendale, California 91214.

1 I, Richard W. Esterkin, declare:

2 1. I am an attorney at law, duly admitted into practice before all courts for the State
3 of California and the United States District Court for the Central District of California. I am a
4 member of the law firm of Morgan, Lewis & Bockius, LLP, counsel for Amazon Logistics, Inc.
5 (“Amazon Logistics”), in the above referenced matter.

6 2. On November 1, 2019, I placed telephone calls to the following individuals at the
7 following times:

8 (a) Eric Winston, counsel for Hillair Capital Management, LLC (“Hillair”), at
9 10:42 a.m.;

10 (b) Jennifer Nassiri, counsel for Hillair, at 10:44 a.m.; and

11 (c) Ashley McDow, counsel for Scoobeez, Inc., at 10:46 a.m.

12 None of the foregoing individuals answered their phones. As a result, I left a message for each of
13 the foregoing individuals informing them that the Court had granted Amazon Logistics’
14 application for an order shortening time for notice of a hearing on its motion for a protective order
15 in relation to discovery served on Amazon Logistics by Hillair and that a hearing would be held
16 on that motion on November 4, 2019, at 2:00 p.m., in Judge Brand’s courtroom. I also stated that
17 I would be providing them with a copy of a written notice of the foregoing hearing and a copy of
18 the Court’s order shortening time, once the written notice had been filed with the Court. Finally,
19 I invited each of the foregoing individuals to call me, in the event that they had any questions
20 regarding the message that I left for them.

21 3. On November 1, 2019, at 11:23 a.m., I sent an e-mail to each of Mr. Winston, Ms.
22 Nassiri, and Ms. McDow forwarding copies of Amazon Logistics’ notice of the hearing on its
23 motion for a protective order (Dkt No. 409) and the motion for a protective order (Dkt No. 405).

24 I declare under penalty of perjury that the foregoing is true and correct and that this
25 declaration was executed at Santa Monica California on November 1, 2019.

26
27 /s/ Richard W. Esterkin

Richard W. Esterkin

**CERTIFICATE OF SERVICE FORM
FOR ELECTRONIC FILINGS**

I hereby certify that on November 1, 2019, I electronically filed the foregoing document,
**Declaration of Richard W. Esterkin re Notice of Hearing on Amazon Logistics, Inc.'s
Motion for a Protective Order Quashing Document Requests and Deposition Notices
Propounded By Hillair Capital Management, LLC**, with the Clerk of the United States
Bankruptcy Court, Central District of California, Los Angeles Division, using the CM/ECF
system, which will send notification of such filing to those parties registered to receive notice on
this matter.



Renee Robles

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
Morgan Lewis & Bockius, LLP
300 S Grand Ave Fl 22, Los Angeles CA 90071-3132

A true and correct copy of the foregoing document entitled (*specify*): Declaration of Richard W. Esterkin re Notice of
Hearing on Amazon Logistics, Inc.'s Motion for a Protective Order Quashing Document Requests and Deposition
Notices Propounded by Hillair Capital Management, LLC

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 11/01/2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See Service List, Attached.

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 11/01/2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Conway MacKenzie, Inc.	Daimler Trust	Levene Neale Bender Yoo & Brill LLP
333 S Hope St Ste 3625	c/o BK Servicing LLC	10250 Constellation Blvd Ste 1700
Los Angeles CA 90071	PO Box 131265	Los Angeles CA 90067
	Roseville MN 55113-0011	

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) 11/01/2019, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

The Hon. Julia W. Brand, Suite 1382
U.S. Bankruptcy Court, Roybal Federal Building
255 E Temple St, Los Angeles CA 90012

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

11/01/2019 Renee Robles
Date Printed Name


Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

2:19-bk-14989-WB Service List:

Richard T Baum on behalf of Stockholder Rosenthal Family Trust
rickbaum@hotmail.com, rickbaum@ecfinforuptcy.com

Richard W Esterkin on behalf of Creditor Amazon Logistics, Inc.
richard.esterkin@morganlewis.com

John-Patrick M Fritz on behalf of Attorney Official Committee Of
Unsecured Creditors jpf@lnbyb.com,
JPF.LNBYB@ecf.inforuptcy.com

John-Patrick M Fritz on behalf of Creditor Committee Official Committee of
Unsecured Creditors jpf@lnbyb.com, JPF.LNBYB@ecf.inforuptcy.com

John-Patrick M Fritz on behalf of Interested Party Levene, Neale, Bender,
Yoo & Brill L.L.P. jpf@lnbyb.com, JPF.LNBYB@ecf.inforuptcy.com

John-Patrick M Fritz on behalf of Plaintiff Official Committee of Unsecured Creditors of the
Estates of Scoobeez

and Scoobeez Global, Inc.

jpf@lnbyb.com, JPF.LNBYB@ecf.inforuptcy.com

Riebert Sterling Henderson on behalf of Interested Party Courtesy NEF
shenderson@gibbsgiden.com

Vivian Ho on behalf of Creditor FRANCHISE TAX BOARD
BKClaimConfirmation@ftb.ca.gov

David Brian Lally on behalf of Attorney Grigori Sedrakyan
davidlallylaw@gmail.com

David Brian Lally on behalf of Attorney Peter and Barbara Ro Trustees of the Rosenthal Family
Trust UTD

3/25/1988

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Alvin Mar on behalf of U.S. Trustee United States Trustee (LA)
alvin.mar@usdoj.gov, dare.law@usdoj.gov

Ashley M McDow on behalf of Debtor Scoobeez

amcdow@foley.com,
sgaeta@foley.com; mhebbeln@foley.com; swilson@foley.com; jsimon@foley.com

Ashley M McDow on behalf of Debtor Scoobeez Global, Inc.

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Ashley M McDow on behalf of Plaintiff Scoobeez, Inc.

amcdow@foley.com,
sgaeta@foley.com; mhebbeln@foley.com; swilson@foley.com; jsimon@foley.com

Stacey A Miller on behalf of Creditor Porsche Financial Services, Inc.
smiller@tharpe-howell.com

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Financial Services smiller@tharpe-howell.com

Stacey A Miller on behalf of Creditor Porsche Leasing Ltd.
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Kevin H Morse on behalf of Creditor Avitus Group, Inc.
kmorse@clarkhill.com, blambert@clarkhill.com

Shane J Moses on behalf of Debtor Scoobeez
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Shane J Moses on behalf of Plaintiff Scoobeez, Inc.
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Akop J Nalbandyan on behalf of Interested Party INTERESTED PARTY
jnalbandyan@LNtriallawyers.com, cbautista@LNtriallawyers.com

Rejoy Nalkara on behalf of Creditor BMW Financial Services NA, LLC, c/o AIS
Portfolio Services, LP rejoy.nalkara@americaninfosource.com

Anthony J Napolitano on behalf of Creditor Hillair Capital Management LLC
anapolitano@buchalter.com,
IFS_filing@buchalter.com; salarcon@buchalter.com

David L. Neale on behalf of Attorney Official Committee Of Unsecured
Creditors dln@lnbyb.com

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Creditors dln@lnbyb.com

David L. Neale on behalf of Interested Party Levene, Neale, Bender, Yoo & Brill
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Gregory M Salvato on behalf of Creditor Azad Baban

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calendar@salvatolawoffices.com; jboufadel@salvatolawoffices.com; gsalvato@ecf.inforuptcy.com

Gregory M Salvato on behalf of Interested Party INTERESTED PARTY
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calendar@salvatolawoffices.com; jboufadel@salvatolawoffices.com; gsalvato@ecf.inforuptcy.com

Jeffrey S Shinbrot on behalf of Creditor Shahan Ohanessian
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Steven M Spector on behalf of Creditor Hillair Capital Management LLC
sspector@buchalter.com,
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United States Trustee (LA)
ustpreion16.la.ecf@usdoj.gov

Kimberly Walsh on behalf of Creditor Texas Comptroller of Public
Accounts bk-kwalsh@texasattorneygeneral.gov

Eric D Winston on behalf of Creditor Hillair Capital Management, LLC
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Eric K Yaeckel on behalf of Creditor Arturo Vega
yaeckel@sullivanlawgroupapc.com

2:19-bk-14989-WB Notice will not be electronically mailed to:

Armory Securities, LLC

Conway MacKenzie, Inc.
333 S Hope St Ste 3625
Los Angeles, CA 90071

Daimler Trust
c/o BK Servicing, LLC
PO Box 131265
Roseville, MN 55113-0011

Force Ten Partners, LLC

Levene Neale Bender Yoo & Brill LLP
10250 Constellation Blvd Ste 1700
Los Angeles, CA 90067